



REMARKS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:	Patent Application for Bilyeu	Dated:	August 3, 2006
Serial No.:	10/789,919	Art Unit:	1638
Filed:	02/27/2004	Examiner:	Collins, Cynthia
For:	Soybean Variety S04-97026-N99-42648-01	Action:	Response to Office Action dated 5/3/06

The Examiner is requested to hold the objections to the specification and to claims 1 and 10 in abeyance. These XX's will be replaced with the appropriate accession numbers and dates of deposit after such information is received from the ATCC.

The Examiner's rejections to the dependency of claim 6 has been incorporated. Although the Applicant disagrees with the Examiner's suggestion that the genetic material is confusing, the Applicant believes that the Examiner's language is no different and thus has incorporated the Examiner's language for claim 12.

Respectfully submitted,



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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing Response to Office Actions dated May 3, 2006 is being mailed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 3 day of August, 2006.

A handwritten signature in black ink, appearing to read "Dana Lewellen".